

**MINUTES OF THE REGULAR MEETING OF THE  
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA  
JANUARY 19, 2005**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, January 19, 2005, in the Council Chambers of City Hall located at 610 Main Street.

**Call to Order.**

Presiding Officer Mayor William J. Schmitt called the meeting to order at 7:00 p.m.

**Roll Call.**

Mayor William J. Schmitt	Present
Councilmembers	
John Schroeder	Present
Bradley Seger	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Renee Kabrick	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the members of the legislative body must be in attendance. All seven of the members were in attendance; therefore, there was a quorum for the meeting.

**Approval of the Minutes**

The following minutes were distributed to and examined by the Council:

1. Organizational meeting and 12/22/04 rescheduled common council meeting held January 3, 2005.
2. January 3, 2005 6:15 p.m. public hearing concerning the petition of ACK Inc. to vacate Raphyl Road located in the Ackerman Commercial Park subdivision.
3. January 3, 2005 6:25 p.m. public hearing concerning the petition of Kimball International Inc. to rezone property located along 30<sup>th</sup> Street between Brosmer Street and Newton Street from I-2 to B-1.
4. January 3, 2005 6:35 p.m. public hearing concerning the petition of B & J Rentals and Daniel J. & Kimberly R. Ackerman to vacate a portion of Portersville Road south of 36<sup>th</sup> Street.
5. January 3, 2005 6:50 p.m. public hearing concerning the petition of the Greater Jasper Consolidated Schools to vacate an alley located at 340 W. 6<sup>th</sup> Street.

A **motion** was made by Councilmember Ambrose Schitter and seconded by Councilmember Bradley Seger to approve all five sets of minutes. **Motion** carried 7-0.

**Utility Service Board.** Utility Service Board Vice Chairman Mike Harder presented a report of the regular monthly meeting held on January 17, 2005. Copies of the minutes were supplied to each council member.

**Outstanding Checks.** Clerk-Treasurer Juanita Boehm presented a list of old outstanding checks and explained procedures for Cancellation of Warrants – Old Outstanding Checks, pursuant to IC-11-10-5. Boehm stated that the checks were all over two years old and requested they be voided. She said that the checks were written to Jasper Municipal Utilities customers and most of them were issued for the balance of a guarantee deposit or overpayment. Councilmember Renee Kabrick asked if there would be a stop-payment charge placed on the checks. Boehm responded that the bank does not assess stop-payment charges to the City.

A **motion** was made by Councilmember Thomas Schmidt and seconded by Councilmember John Schroeder to accept the list of old outstanding checks as presented by the Clerk-Treasurer. **Motion** passed 7-0.

**Encumbered Appropriations.** Clerk-Treasurer Juanita Boehm presented a list of Encumbered Appropriations for 2005 and explained the procedures. She stated that in order for funds to be encumbered, a contract or a purchase order must have been approved in 2004.

A **motion** was made by Councilmember Bradley Seger and seconded by Councilmember Renee Kabrick to approve the list of encumbered appropriations. **Motion** passed 7-0.

**Uniform Conflict of Interest Disclosure Statement.** Mayor Schmitt presented a Conflict of Interest Disclosure Statement from himself, William J. Schmitt, 1517 Mushroom Lane. He explained that he is a member of the Advisory Board of Government Insurance Exchange (G.I.E.) Bliss McKnight, which provides liability insurance services to the City. Mayor Schmitt stated that he has no financial interest in G.I.E.

A **motion** was made by Councilmember Ambrose Schitter and seconded by Councilmember Thomas Schmidt to accept the Conflict of Interest Disclosure Statement from William J. Schmitt. **Motion** carried 7-0.

**Uniform Conflict of Interest Disclosure Statement.** Mayor Schmitt presented a Conflict of Interest Disclosure Statement from Thomas R. Schmidt, 1111 Maurice Street. Mr. Schmidt has a financial interest in Schmidt Contracting, Inc., which provides heating, air conditioning, plumbing, ventilation, sheet metal duct work, roofing and miscellaneous electrical contracts and sometimes bids for City contracts. Thomas R. Schmidt is a member of the Common Council and recused himself from voting.

A **motion** was made by Councilmember Renee Kabrick and seconded by Councilmember Randall Buchta to accept the Conflict of Interest Disclosure Statement from Thomas Schmidt. **Motion** carried 6-0.

**Uniform Conflict of Interest Disclosure Statement.** Mayor Schmitt presented a Conflict of Interest Disclosure Statement from Don Weisheit, 3265 Foxridge Drive. Mr. Weisheit was appointed by the Common Council as a member of the Jasper Community Arts Commission. Mr. Weisheit is an officer and employed by Herald Printing, Inc., which provides commercially printed products and services to various city departments.

A **motion** was made by Councilmember Raymond Howard and seconded by Councilmember John Schroeder to accept the Conflict of Interest Disclosure Statement from Don Weisheit. **Motion** carried 7-0.

**Rezoning Proposal/Ordinance No. 2005-1.** Mayor Schmitt sought consideration of ACK Inc.'s proposal to rezone property located south of State Road 162 and east of Lube Way Road from I-2 (Heavy Industrial) to B-3 (Business District).

Thereafter, a **motion** was made by Councilmember Ambrose Schitter and seconded by Councilmember Raymond Howard to accept the proposal to rezone property located south of State Road 162 and east of Lube Way Road from I-2 (Heavy Industrial) to B-3 (Business District) and adopt the ordinance for said property. **Motion** carried 7-0.

Mayor Schmitt stated that the ordinance would be referenced Ordinance No. 2005-1.

**Website.** Councilmember Raymond Howard thanked everyone for their support in getting the City's Website up and running. Mayor Schmitt and Councilmember Thomas Schmidt commended Councilmembers Howard and Kabrick for their outstanding dedication to the website project.

Mayor Schmitt related that "Indiana Bike Fest" had requested a spot on the City's website calendar for their 2005 event. IBF also asked if the City could have an icon on its website that would link to the IBF website. Mayor Schmitt suggested the Website committee have a meeting to discuss setting a policy regarding this matter.

### **Adjournment**

There being no further business to come before the board, a **motion** was made by Councilmember Thomas Schmidt and seconded by Councilmember Ambrose Schitter to adjourn the meeting. The motion carried unanimously and the meeting adjourned at 7:30 p.m.

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**William J. Schmitt, Mayor  
Presiding Officer**

**ATTEST:**

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**Juanita S. Boehm, Clerk-Treasurer**  
Cynthia Kluemper, Recording Secretary